

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re HERALD, PRIMEO and THEMA
FUNDS SECURITIES LITIGATION,

This Document Relates To:

Repex Ventures, S.A., etc. v.
Bernard L. Madoff, et al.

) Civil Action No. 09 CIV 289 (RMB)(HBP)
) (Consolidated with 09 CIV 2032 and
) 09 CIV 2558)
)
) **ECF Case**
)
)
)
)
)

**SUMMONS RETURNED EXECUTED ON DEFENDANT
HERALD FUND SPC-HERALD USA SEGREGATED PORTFOLIO ONE**



Clerk of Court's Office
P.O. Box 495
George Town
Grand Cayman
Cayman Islands
B.W.I.

F.P. # 83/2010

AFFIDAVIT OF SERVICE

I, Velma Powery-Hewitt of George Town, Grand Cayman, affirm and say as follows:

1. I am the Bailiff of the Grand Court of the Cayman Islands.
2. On Friday the 17th of September 2010, at 3:10 hrs. I served

the following documents, namely:
SEE LIST

HERALD FUND SPC, HERALD USA SEGREGATED PORTFOLIO ONE
On the registered office of _____
MAPLES AND CALDER, SOUTH CHURCH STREET, GRAND CAYMAN
Located at _____


SIOBHAN HYLAND, CORPORATE ASSISTANT
By handing the said documents to _____
MAPLES AND CALDER, SOUTH CHURCH ST, GRAND CAYMAN, CAYMAN ISLANDS
At _____

3. The above statements made by me are true and correct.



BAILIFF OF THE GRAND COURT

Affirm to before me on Tuesday the 15th day of December 2010.



NOTARY PUBLIC GEORGE TOWN
GRAND CAYMAN, CAYMAN ISLANDS



Clerk of Court's Office
P.O. Box 495
George Town
Grand Cayman
Cayman Islands
B.W.I.

F.P. # 83/2010

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SIOBHAN HYLAND, CORPORATE ASSISTANT
By handing the said documents to _____
MAPLES AND CALDER, SOUTH CHURCH ST, GRAND CAYMAN, CAYMAN ISLANDS
At _____

3. The above statements made by me are true and correct.

[Signature]
BAILIFF OF THE GRAND COURT

CERTIFIED TRUE AND CORRECT
[Signature]
COURTS ADMINISTRATOR

Affirm to before me on Wednesday the 15th day of December 2010.

[Signature]
NOTARY PUBLIC GEORGE TOWN
GRAND CAYMAN, CAYMAN ISLANDS

F.P.83/10



REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS

DEMANDE AUX FINS DE SIGNIFICATION OU DE NOTIFICATION À L'ÉTRANGER D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 novembre 1965.

Identity and address of the applicant *Identité et adresse du requérant*

Timothy J. Burke, Esq.
STULL, STULL & BRODY
10940 Wilshire Blvd, Suite 2300
Los Angeles, CA 90024
Tel: (310) 209-2468

Lead Counsel for Lead Plaintiff Repex Ventures, S.A.

Address of receiving authority *Adresse de l'autorité destinataire*

Mr. Valdis Foldats, Clerk of the Courts
The Courts, Judicial Administration
Edward Street
George Town, P.O. Box 495
Grand Cayman KY1-1106
CAYMAN ISLANDS

The undersigned applicant has the honour to transmit -- in duplicate-- the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e., (identity and address)

Le requérant soussignée a l'honneur de faire parvenir--en double exemplaire--à l'autorité destinataire les documents ci-dessous énumérés, en la priant, conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, à savoir:

(identité et adresse) Herald Fund SPC-Herald USA Segregated Portfolio One, M&C Corporate Services Limited

P.O. Box 309 GT, Ugland House, South Church Street

Georgetown, Grand Cayman, Cayman Islands

☒ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5 alinéa premier, lettre a).

☐ (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particulière suivante (article 5, alinéa premier, lettre b) :

☐ (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*:
c) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents and of the annexes with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

List of documents

Énumération des pièces 09CV289(RMB)(HBP)

Amended Summons in a Civil Action; Amended

Class Action Complaint; Civil Case Cover Sheet;

Electronic Case Filing Rules & Instructions;

Individual Practices of Hon. Richard M. Berman

Done at NEW YORK, NY, the 21ST
Fait à April, le 2010

Signature and/or stamp

Signature et/ou cachet

Michael McMahon

**CERTIFICATE
ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served *

1) *que la demande a été exécutée*

-- the (date) -- *le (date) FRIDAY SEPT 17TH 2010*

-- at (place, street, number) - *à (localité, rue, numéro)*

MAPLES + CALDER

-- in one of the following methods authorized by article 5:

-- *dans une des formes suivantes prévues à l'article 5:*

☐ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.

a) selon les formes légales (article 5. alinéa premier, lettre a)

☐ (b) in accordance with the following particular method:

b) selon la forme particulière suivante:

☒ (c) by delivery to the addressee, who accepted it voluntarily.*

c) par remise simple.

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à:

- (identity and description of person)

-(Identité et qualité de la personne)

SIOBHAN HYLAND

- relationship to the addressee family, business or other

- liens de parenté de subordination ou autres avec le destinataire de l'acte:

CORPORATE ASST, MAPLES + CALDER

2) that the document has not been served, by reason of the following facts*:

2) *que la demande n'a pas été exécutée, en raison des faits suivants:*

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

ANNEXES

Annexes

Documents returned:

Pieces renvoyées

Amended Summons in a Civil Action; Amended Class Action Complaint;

Civil Case Cover Sheet; Electronic Case Filing Rules & Instructions;

Individual Practices of Hon. Richard M. Berman

In appropriate cases, documents establishing the service:

Le cas échéant, les documents justificatifs de l'exécution:

Done at *George Town*, the *20/9/10*
Fait à *Grand Cayman*, le

Signature and/or stamp
Signature et/ou cachet

[Signature]